REMARKS

Assignee respectfully requests reconsideration and allowance in view of the foregoing amendment and the following remarks. Assignee amends claims 1-2, 4-8, and 17-20 without prejudice or disclaimer.

Rejection of Claims 1-8 and 17-20 Under 35 U.S.C. §112

The Office Action rejects claims 1-8 and 17-20 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Assignee amends claim 1 to recite collecting a plurality of unlabeled utterances. The specification provides support for this amendment at paragraphs [1078]-[1080]. This rejection is moot inasmuch as the rejected limitation is no longer a part of claim 1. Assignee similarly amends claim 17. Therefore, this rejection should be withdrawn.

Rejection of Claims 1-3, 5-6, 8-11, 13-14 and 16-22 Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-3, 5-6, 8-11, 13-14 and 16-22 under 35 U.S.C. §103(a) as being unpatentable over Arai et al. (U.S. Patent No. 6,173,261) ("Arai et al.") in view of Attwater et al. (U.S. Patent No. 6,839,671) ("Attwater et al."). Assignee amends claim 1 to recite collecting a plurality of unlabeled utterances. The combination of cited references fails to disclose this limitation.

The Office Action on page 4 relies on the database disclosed in Arai et al. at col. 9, lines 1-8 as a collection of a plurality of utterances. However, Arai et al. disclose in col. 9, lines 1-8 that the database has a large number of utterance "where each such utterance is labeled." Thus Arai et al. disclose the exact opposite of what is recited in claim 1. Arai et al. disclose a database of labeled utterances, whereas claim 1 recites collecting a plurality of unlabeled utterances.

Attwater et al. do not mention either labeled or unlabeled utterances, and thus also do not disclose this limitation.

Further, the subsequent processing operations of Arai et al. rely on the label information in the database. For example, the grammar fragment cluster detector 1160 and classification processor 1170 use the label information to apply a confidence function and make decisions whether to implement a particular task objective, as described at col. 9, lines 37-60. Inasmuch as these additional steps of Arai et al. rely on the label information in the database, it is difficult to see how an approach based on unlabeled information as recited in claim 1 could be successfully combined with Arai et al.

For at least these reasons, claim 1 and its dependent claims are patentable over the combination of Arai et al. and Attwater et al. Assignee similarly amends claim 17, therefore claim 17 and its dependent claims are likewise patentable. Accordingly, this rejection should be withdrawn.

Rejection of Claims 4 and 7 Under 35 U.S.C. §103(a)

The Office Action rejects claims 4 and 7 under 35 U.S.C. §103(a) as being unpatentable over Arai et al. in view of Attwater et al. and Maes et al. (U.S. Patent Publication No. 2003/0088421) ("Maes et al."). Assignee traverses this rejection and notes that claims 4 and 7 are patentable over this combination of references inasmuch as they depend from claim 1 which is patentable for at least the reasons set forth above.

CONCLUSION

Having addressed all rejections and objections, the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

Date: April 14, 2010

By: 

Correspondence Address:
Customer No. 83221

Thomas M. Isaacson
Attorney for Assignee
Reg. No. 44,166
Phone: 410-286-9405
Fax No.: 410-510-1433